

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN ELECTRIC POWER COMPANY,

Plaintiff,

v.

MEMORANDUM AND ORDER

07-C-277-S

THE NORTHERN ASSURANCE COMPANY OF AMERICA
as successor to EMPLOYERS SURPLUS LINES INSURANCE COMPANY,

Defendants.

WISCONSIN ELECTRIC POWER COMPANY,

Plaintiff,

v.

07-C-299-S

CENTURY INDEMNITY COMPANY as successor to
CALIFORNIA UNION INSURANCE COMPANY, INDEMNITY
INSURANCE COMPANY OF NORTH AMERICA and INSURANCE
COMPANY OF NORTH AMERICA, CONTINENTAL INSURANCE
COMPANY as successor to HARBOR INSURANCE COMPANY
and GENERAL REINSURANCE COMPANY,

Defendants.

Defendant Continental Insurance Company's motion to oppose
WEPCO's latest claims of inadvertent production came on to be
heard in the above entitled matters on January 16, 2008, the
plaintiff having appeared by Heller Ehrman by David J. Harth, Eric
G. Barber and David F. Klein; defendants Northern Assurance Company
of America and Employers Surplus Lines Insurance Company by
Litchfield Cavo by Joseph Royster; defendant Continental Insurance

Company by Brennan, Steil & Basting by Duffy Dillon and Michael & May by Jeremy Schulz; defendant Century Indemnity Company by Cohn, Baughman & Martin by Brian C. Coffey and Meissner, Tierney, Fisher & Nichols by Pam Tillman; defendant General Reinsurance Company by Ellen L. Green; Honorable John C. Shabaz, District Judge, presided.

The Court having reviewed the four documents in dispute finds them to be privileged, accordingly,

ORDER

IT IS ORDERED that defendant Continental's motion to oppose WEPCO's latest claims of inadvertent production is GRANTED. However, as stated herein, said documents shall be returned to plaintiff forthwith and immediately.

IT IS FURTHER ORDERED that plaintiff's motion for leave to amend its complaints is scheduled for Wednesday, January 23, 2008 at 9:15 A.M., plaintiff to initiate conference call to the Court at 608-264-5504.

Entered this 16th day of January, 2008.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge